

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Noted on Attached Appendix

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**MASTER STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO WALMART NATIONAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff Subdivisions identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Walmart Defendants¹ that, pursuant to the election of each Dismissing Plaintiff to participate in the Walmart Settlement Agreement, which is dated November 14, 2022, and is binding on the Dismissing Plaintiffs and the Walmart Defendants (a copy of which is attached as Appendix B), all claims of each Dismissing Plaintiff against any Walmart Defendant, including any entity identified on the attached Appendix C, are hereby voluntarily **DISMISSED WITH PREJUDICE**, with each party to bear its own costs, provided the Walmart Settlement Agreement takes effect by September 15, 2023 pursuant to Section II.C of the Walmart Settlement Agreement. If the Walmart Settlement Agreement does not take effect by September 15, 2023, the parties shall

¹ The Released Entities are each and every entity of any of the Walmart Defendants that is a “Released Entity” as set forth in Section I.DDD and Exhibit J of the Walmart Settlement Agreement, dated as of November 14, 2022, a copy of which is attached as Appendix B. Appendix C, also attached hereto, represents a good faith effort by the Walmart Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Appendix C is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Walmart Defendants subsequently identify any Released Entity that should have been included on Appendix C, they will inform the Clerk of the Court.

notify the Court by September 20, 2023 and this dismissal shall be void in its entirety. The Court shall retain jurisdiction with respect to the Walmart Settlement Agreement to the extent provided under that Agreement.²

Dated: August 11, 2023

Respectfully submitted,

Agreed as to form and substance:

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² To the extent any Plaintiff Subdivision is inadvertently included on Appendix A, the Court retains jurisdiction to hear those disputes. In advance of raising any such issue with the Court, the Plaintiff Subdivision must meet and confer with defense counsel and Plaintiffs' Liaison Counsel.

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Plaintiffs' Liaison Counsel

Walmart

/s/ Tina M. Tabacchi

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Attorneys for Walmart Defendants

SO ORDERED this __ day of ____, 2023.

Hon. Dan Aaron Polster
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Peter H. Weinberger

Peter H. Weinberger